

STATEMENT OF PURPOSE

RS23276C1

The purpose of this legislation is to recognize and approve a revision to the Idaho Water Quality Standards (WQS) that addresses Outstanding Resource Waters (ORW). The revision deletes the ORW section from the mixing zone policy within the WQS. The Department of Environmental Quality (DEQ) initiated negotiated rulemaking on February 28, 2014 to update the mixing zone policy within the WQS. The policy was adopted in 1991 and contained language that was outdated and/or no longer relevant. Through the negotiated rulemaking process a proposed rule was developed. It was then presented to the Board of Environmental Quality and adopted as a pending rule on November 19, 2014. Legislative review of the pending rule, therefore, occurs during the 2015 legislative session. Idaho Code §39-3623 requires that every rule promulgated pertaining to the authority granted to DEQ to designate and regulate activities on ORWs become permanent only through the enactment of statute. The mixing zone pending rule proposes the deletion of a section of the policy dealing with ORWs. To make this rule change effective and consistent with Idaho Code §39-3623, this bill amends Idaho Code §39-3623 to provide for specific legislative approval of the amendment of IDAPA section 58.01.02.060 Mixing Zones for Outstanding Resource Waters in the Idaho WQS. This legislation also corrects technical errors identified in the statute relating to IDAPA section references.

FISCAL NOTE

This bill will have no fiscal impact to the state.

Contact:

Barry Burnell
Department of Environmental Quality
(208) 373-0194